

IR F1566-03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Jean-Paul Grandmaire, et al. Customer No. 23909  
Confirmation No.:

Serial No.: 10/766,785

Group: 1751

Filed: January 27, 2004

Examiner: C. Boyer

For: Aqueous Composition Comprising Oligomeric Esterquats

**Certification of Facsimile Transmission**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the U.S. Patent & Trademark Office on the date shown below to Examiner Charles Boyer at fax number 571-273-1311.

  
Debra L. Packer2-17-05  
(Date)

The U.S. Patent & Trademark Office  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION UNDER 37 CFR 1.321(b) and (c)**

Colgate-Palmolive Company, a corporation of the State of Delaware, represents that it is the assignee of the entire right, title and interest in and to the invention disclosed and claimed in application Serial No. 10/766,785 filed on the 27th day of January 2004, for Aqueous Composition Comprising Oligomeric Esterquats by virtue of an Assignment of said application which was mailed to the U.S. Patent & Trademark Office on April 30, 2004 (information concerning Reel & Frame numbers is unavailable at the present date); a copy of said Assignment is separately attached. The Colgate-Palmolive Company hereby disclaims the terminal part of any patent granted on the above-identified pending application which would extend beyond the expiration date of any patent granted on the following copending U.S. patent applications: (1) U.S. Patent Application No. 10/452,555 of which Colgate-Palmolive Company by virtue of an

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Assignment of said application which has been recorded with the U.S. Patent & Trademark Office on April 6, 2004 at Reel 01571, Frame 0566 has the entire right, title and interest in and to the invention disclosed and claimed in said U.S. Patent Application No. 10/452,555 which was filed on June 2, 2003; (2) U.S. Patent Application No. 10/793,102 of which Colgate-Palmolive Company by virtue of an Assignment of said application which has been recorded with the U.S. Patent & Trademark Office on May 30, 2004 at Reel 015281, Frame 0200 has the entire right, title and interest in and to the invention disclosed and claimed in said U.S. Patent Application No. 10/793,102 which was filed on March 4, 2004; and (3) U.S. Patent Application No. 10/288,134 of which Colgate-Palmolive Company by virtue of an Assignment of said application which has been recorded with the U.S. Patent & Trademark Office on April 2, 2004 at Reel 015165, Frame 0269 has the entire right, title and interest in and to the invention disclosed and claimed in said U.S. Patent Application No. 10/288,134 which was filed on November 5, 2002 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the holder of legal title to said patent shall be the same as the holder of legal title to said U.S. Patent Application Nos. 10/452,555; 10/793,102; and 10/288,134. This Disclaimer is to run with any patent granted on the above-identified pending application and is binding upon the grantee, its successor or assigns.

The assignee, Colgate-Palmolive Company, by its attorney of record, Bernard Lieberman, hereby states that the required evidentiary records of assignment have been reviewed as evidenced by copies of the Assignments annexed hereto as Exhibit A (USSN 10/766,785); Exhibit B (USSN 10/452,555); Exhibit C (USSN 10/793,102); and Exhibit D (USSN 10/288,134) and hereby certifies that to the best of his knowledge and belief, title is in the assignee seeking to take the action.

Please charge the \$130 fee for filing of the Terminal Disclaimer to Deposit Account No. 03-2455.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 et seq. which may be required or credit any overpayment of Deposit Account No. 03-2455. This letter is being submitted in duplicate.

Date: 2-18-05

Signature: 

Bernard Lieberman  
Registration No. 26194  
Customer No. 23909  
Ph. 732-878-7151

DOCKET NO. F1566-03

Exhibit AASSIGNMENT

WHEREAS, [WE], Jean-Paul Grandmaire and Anita Hermosilla (below referred to as ASSIGNORS), residing, respectively, as set forth hereinafter, have made an invention for which application for Letters Patent of the United States was filed in the United States Patent and Trademark Office as Application Serial No. 10/766,785, filed 1/27/04, naming the ASSIGNOR(S) as inventors, and entitled Aqueous Composition Comprising Oligomeric Esterquats; and

WHEREAS, Colgate-Palmolive Company, a corporation duly organized and existing under the laws of the State of Delaware, United States of America and having its principal office and place of business at 300 Park Avenue, New York, New York 10022, and offices and place of business at 909 River Road, Piscataway, New Jersey 08855 (below referred to as "ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the aforesaid invention and patent application and corresponding patent rights worldwide;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR(S), by these presents do sell, assign and transfer to ASSIGNEE, the full and exclusive right, title and interest in and to the aforesaid invention, the aforesaid U.S. and all corresponding foreign patent applications, all divisional, continuation, continuation-in-part, reissue and reexamination applications of the aforesaid U.S. application, and all Letters Patent or comparable rights issuing thereon in the United States and in all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and the ASSIGNOR(S) hereby authorize and request the U.S. Commissioner of Patents and Trademarks and all foreign Patent Offices to issue all Letters Patent or comparable rights issuing on any application as aforesaid to ASSIGNEE, or to its successors, assigns or legal representatives;

ASSIGNOR(S) hereby covenant that ASSIGNOR(S) have full right to convey the entire interest herein assigned, and that ASSIGNOR(S) have not executed, and will not execute, any agreement in conflict herewith;

ASSIGNOR(S) agree to communicate to ASSIGNEE or to its successors, assigns or legal representatives any and all facts known to them or any of them respecting said invention, and without further remuneration to testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and reexamination applications, make all rightful oaths and generally do all lawful acts to aid ASSIGNEE or its successors, assigns or legal representatives to obtain and enforce proper patent protection for said invention in all countries and to enhance or perfect ASSIGNEE's title in and to the invention and patent rights therein.

ASSIGNOR(S) hereby authorize attorneys for ASSIGNEE to enter on this document any applicable serial numbers and filing dates after ASSIGNOR(S') execution of this document.

This Assignment is effective as of: January 27, 2004  
(date of filing)

(Sheet 1 of 2)

DOCKET NO. F1566-03

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of April 2004.

Jean-Paul Grandmaire  
Jean-Paul Grandmaire

Address: Rue sous le Chateau 45,  
B-4821 Andrimont, Belgium

State of  
County of

On this 7<sup>th</sup> day of April 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Vu par Nous, Maître Didier TIMMERMANS,

Notaire à Saint-Nicolas,

pour légalisation de la signature

de Monsieur Jean Paul GRANDHAIRE  
ci-dessus apposée

NOTARY PUBLIC



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of April 2004.

Anita Hermosilla  
Anita Hermosilla

Address: Rue d'Heur 31,  
B-4340 Othee, Belgium

State of  
County of

On this 7<sup>th</sup> day of April 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Vu par Nous, Maître Didier TIMMERMANS,

Notaire à Saint-Nicolas,

pour légalisation de la signature

de madame Hermosilla  
ci-dessus apposée

NOTARY PUBLIC



Colgate-Palmolive Company accepts this Assignment.

COLGATE-PALMOLIVE COMPANY

By Bernard Lieberman  
Bernard Lieberman  
Associate Patent Counsel

(Sheet 2 of 2)

DOCKET NO. F1566-02

Exhibit B**ASSIGNMENT**

WHEREAS, [WE], Jean-Paul Grandmaire and Anita Hermosilla (below referred to as ASSIGNORS), residing, respectively, as set forth hereinafter, have made an invention for which application for Letters Patent of the United States was filed in the United States Patent and Trademark Office as Application Serial No. 10/452,555, filed June 2, 2003, naming the ASSIGNOR(S) as inventors, and entitled Aqueous Composition Comprising Oligomeric Esterquats; and

WHEREAS, Colgate-Palmolive Company, a corporation duly organized and existing under the laws of the State of Delaware, United States of America and having its principal office and place of business at 300 Park Avenue, New York, New York 10022, and offices and place of business at 909 River Road, Piscataway, New Jersey 08855 (below referred to as "ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the aforesaid invention and patent application and corresponding patent rights worldwide;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR(S), by these presents do sell, assign and transfer to ASSIGNEE, the full and exclusive right, title and interest in and to the aforesaid invention, the aforesaid U.S. and all corresponding foreign patent applications, all divisional, continuation, continuation-in-part, reissue and reexamination applications of the aforesaid U.S. application, and all Letters Patent or comparable rights issuing thereon in the United States and in all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and the ASSIGNOR(S) hereby authorize and request the U.S. Commissioner of Patents and Trademarks and all foreign Patent Offices to issue all Letters Patent or comparable rights issuing on any application as aforesaid to ASSIGNEE, or to its successors, assigns or legal representatives;

ASSIGNOR(S) hereby covenant that ASSIGNOR(S) have full right to convey the entire interest herein assigned, and that ASSIGNOR(S) have not executed, and will not execute, any agreement in conflict herewith;

ASSIGNOR(S) agree to communicate to ASSIGNEE or to its successors, assigns or legal representatives any and all facts known to them or any of them respecting said invention, and without further remuneration to testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and reexamination applications, make all rightful oaths and generally do all lawful acts to aid ASSIGNEE or its successors, assigns or legal representatives to obtain and enforce proper patent protection for said invention in all countries and to enhance or perfect ASSIGNEE's title in and to the invention and patent rights therein.

ASSIGNOR(S) hereby authorize attorneys for ASSIGNEE to enter on this document any applicable serial numbers and filing dates after ASSIGNOR(S)' execution of this document.

This Assignment is effective as of: June 2, 2003  
(date of filing)

(Sheet 1 of 2)

DOCKET NO. F1566-02

(Assignment con't)

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of September 2003.  
Jean-Paul GrandmaireAddress: Rue sous le Chateau 45,  
B-4821 Andrimont, BelgiumState of  
County ofOn this 19<sup>th</sup> day of September 2003, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Vu par Nous, Maître Didier TIMMERMANS.

Notaire à Saint-Nicolas,

pour légalisation de la signature

de Monsieur Jean Paul GRANDMAIRE  
et dessus apposéeNOTARY PUBLIC  
  
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of September 2003.  
Anita HermosillaAddress: Rue d'Heur 31,  
B-4340 Othee, BelgiumState of  
County ofOn this 19<sup>th</sup> day of September 2003, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

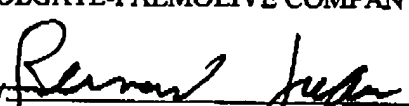
Vu par Nous, Maître Didier TIMMERMANS.

Notaire à Saint-Nicolas,

pour légalisation de la signature

de Madame Anita HERMOSILLA MARIN  
et dessus apposéeNOTARY PUBLIC  
  


Colgate-Palmolive Company accepts this Assignment.

  
COLGATE-PALMOLIVE COMPANYBy   
Bernard Lieberman  
Associate Patent Counsel

(Sheet 2 of 2)

DOCKET NO. F1566-04

Exhibit CASSIGNMENT

WHEREAS, [WE], Jean-Paul Grandmaire and Anita Hermosilla (below referred to as ASSIGNORS), residing, respectively, as set forth hereinafter, have made an invention for which application for Letters Patent of the United States was filed in the United States Patent and Trademark Office as Application Serial No. 10/793,102 filed March 4, 2004, naming the ASSIGNOR(S) as inventors, and entitled Aqueous Composition Comprising Oligomeric Esterquats; and

WHEREAS, Colgate-Palmolive Company, a corporation duly organized and existing under the laws of the State of Delaware, United States of America and having its principal office and place of business at 300 Park Avenue, New York, New York 10022, and offices and place of business at 909 River Road, Piscataway, New Jersey 08855 (below referred to as "ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the aforesaid invention and patent application and corresponding patent rights worldwide;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR(S), by these presents do sell, assign and transfer to ASSIGNEE, the full and exclusive right, title and interest in and to the aforesaid invention, the aforesaid U.S. and all corresponding foreign patent applications, all divisional, continuation, continuation-in-part, reissue and reexamination applications of the aforesaid U.S. application, and all Letters Patent or comparable rights issuing thereon in the United States and in all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and the ASSIGNOR(S) hereby authorize and request the U.S. Commissioner of Patents and Trademarks and all foreign Patent Offices to issue all Letters Patent or comparable rights issuing on any application as aforesaid to ASSIGNEE, or to its successors, assigns or legal representatives;

ASSIGNOR(S) hereby covenant that ASSIGNOR(S) have full right to convey the entire interest herein assigned, and that ASSIGNOR(S) have not executed, and will not execute, any agreement in conflict herewith;

ASSIGNOR(S) agree to communicate to ASSIGNEE or to its successors, assigns or legal representatives any and all facts known to them or any of them respecting said invention, and without further remuneration to testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and reexamination applications, make all rightful oaths and generally do all lawful acts to aid ASSIGNEE or its successors, assigns or legal representatives to obtain and enforce proper patent protection for said invention in all countries and to enhance or perfect ASSIGNEE's title in and to the invention and patent rights therein.

ASSIGNOR(S) hereby authorize attorneys for ASSIGNEE to enter on this document any applicable serial numbers and filing dates after ASSIGNOR(S)' execution of this document.

This Assignment is effective as of: March 4, 2004  
(date of filing)

(Sheet 1 of 2)



DOCKET NO. F1566-04

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of April 2004.

Jean-Paul Grandmaire  
Jean-Paul Grandmaire

Address: Rue sous le Chateau 45,  
B-4821 Andrimont, Belgium

State of  
County of

On this 7<sup>th</sup> day of April 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

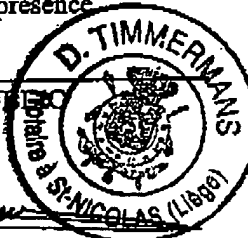
Vu par Nous, Maître Didier TIMMERMANS,

Notaire à Saint-Nicolas,

pour légalisation de la signature

de Monsieur Jean-Paul GRANDMAIRE  
ci-dessus apposée

NOTARY PUBLIC



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of April 2004.

Anita Hermosilla  
Anita Hermosilla

Address: Rue d'Heur 31,  
B-4340 Othee, Belgium

State of  
County of

On this 7<sup>th</sup> day of April 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

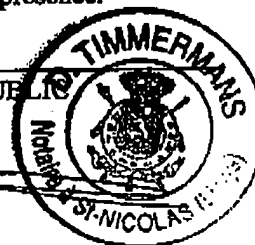
Vu par Nous, Maître Didier TIMMERMANS,

Notaire à Saint-Nicolas,

pour légalisation de la signature

de Madame Anita HERMOSILLA  
ci-dessus apposée

NOTARY PUBLIC



Colgate-Palmolive Company accepts this Assignment.

COLGATE-PALMOLIVE COMPANY

By

Bernard Lieberman  
Bernard Lieberman  
Associate Patent Counsel

(Sheet 2 of 2)

DOCKET NO. F1566-01

Exhibit D**ASSIGNMENT**

WHEREAS, [WE], **Jean-Paul Grandmaire and Anita Hermosilla** (below referred to as ASSIGNORS), residing, respectively, as set forth hereinafter, have made an invention for which application for Letters Patent of the United States was filed in the United States Patent and Trademark Office as Application Serial No. 10/288,134, filed November 5, 2002, naming the ASSIGNOR(S) as inventors, and entitled Aqueous Composition Comprising Oligomeric Esterquats; and

WHEREAS, Colgate-Palmolive Company, a corporation duly organized and existing under the laws of the State of Delaware, United States of America and having its principal office and place of business at 300 Park Avenue, New York, New York 10022, and offices and place of business at 909 River Road, Piscataway, New Jersey 08855 (below referred to as "ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the aforesaid invention and patent application and corresponding patent rights worldwide;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR(S), by these presents do sell, assign and transfer to ASSIGNEE, the full and exclusive right, title and interest in and to the aforesaid invention, the aforesaid U.S. and all corresponding foreign patent applications, all divisional, continuation, continuation-in-part, reissue and reexamination applications of the aforesaid U.S. application, and all Letters Patent or comparable rights issuing thereon in the United States and in all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and the ASSIGNOR(S) hereby authorize and request the U.S. Commissioner of Patents and Trademarks and all foreign Patent Offices to issue all Letters Patent or comparable rights issuing on any application as aforesaid to ASSIGNEE, or to its successors, assigns or legal representatives;

ASSIGNOR(S) hereby covenant that ASSIGNOR(S) have full right to convey the entire interest herein assigned, and that ASSIGNOR(S) have not executed, and will not execute, any agreement in conflict herewith;

ASSIGNOR(S) agree to communicate to ASSIGNEE or to its successors, assigns or legal representatives any and all facts known to them or any of them respecting said invention, and without further remuneration to testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and reexamination applications, make all rightful oaths and generally do all lawful acts to aid ASSIGNEE or its successors, assigns or legal representatives to obtain and enforce proper patent protection for said invention in all countries and to enhance or perfect ASSIGNEE's title in and to the invention and patent rights therein.

ASSIGNOR(S) hereby authorize attorneys for ASSIGNEE to enter on this document any applicable serial numbers and filing dates after ASSIGNOR(S)' execution of this document.

This Assignment is effective as of: November 5, 2002  
(date of filing)

(Sheet 1 of 2)

DOCKET NO. F1566-01

(Assignment con't)

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19<sup>th</sup> day of March 2003.

Jean-Paul Grandmaire  
Jean-Paul Grandmaire

Address: Rue sous le Chateau 45,  
B-4821 Andrimont, Belgium

State of

County of

On this 19<sup>th</sup> day of March 2003, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Vu par Nous, Maître Didier TIMMERMANS.

Notaire à Saint-Nicolas,

pour légalisation de la signature

de Monsieur Jean-Paul GRANDMAIRE  
ci-dessus apposée

NOTARY PUBLIC



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19<sup>th</sup> day of March 2003.

Anita Hermosilla  
Anita Hermosilla

Address: Rue d'Henr 31,  
B-4340 Othee, Belgium

State of

County of

On this 19<sup>th</sup> day of March 2003, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

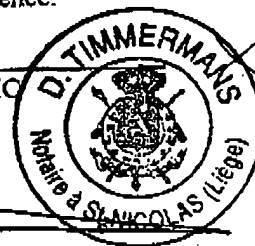
Vu par Nous, Maître Didier TIMMERMANS.

Notaire à Saint-Nicolas,

pour légalisation de la signature

de Madame Anita HERMOSILLA  
ci-dessus apposée

NOTARY PUBLIC



Colgate-Palmolive Company accepts this Assignment.

COLGATE-PALMOLIVE COMPANY

By

Paul Shapiro  
Paul Shapiro, Vice President  
Chief Patent Counsel

(Sheet 2 of 2)